

BOARD OF PUBLIC EDUCATION

CHAPTER 66

ADULT SECONDARY EDUCATION CREDENTIALS

Subchapter 1

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of General Education Development

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Subchapter 1

General Education Development

10.66.101 REQUIREMENTS WHICH MUST BE MET IN ORDER TO RECEIVE HIGH SCHOOL EQUIVALENCY DIPLOMAS (1) Applicants shall not be currently enrolled in school or have received an accredited high school diploma or high school equivalency credential.

(2) Applicants shall attain standard scores on the GED tests that meet or exceed the minimum score requirement established by the policy commission of the General Education Development (GED) Testing Service, Washington, D.C.

(3) Applicants 17 and 18 years of age are eligible provided one of the following documents is presented to the official GED testing center prior to testing:

(a) An official withdrawal slip from last school attended or other documentation approved by state GED administrator or GED chief examiner certifying applicant has been out of school 90 days.

(b) An original letter of approval to take GED test, on school letterhead, signed by the chief education officer providing applicant's last school enrollment date, if applicant has been out of school less than 90 days.

(c) An original letter of approval to take GED test, on school letterhead, signed by the chief education officer in the public school district in which the applicant currently resides documenting the applicant has not enrolled in school and has been advised of available in-school options.

(d) An original letter of approval to take GED test, on school letterhead, signed by the chief education officer indicating applicant's high school class has been graduated.

(4) Applicants 17 and 18 years of age who reside in a Montana-based job corps center; are incarcerated in a correctional institution; a youth correctional center or school; are under the jurisdiction of a court, a youth probation office, a state authorized group home or alcohol/drug treatment center may be tested at the written request of the facility director or authorized agent (e.g., probation officer) provided applicant is no longer enrolled in a regular school program for credit. The official GED testing center may require program for credit. The official GED testing center may require documentation satisfying ARM 10.66.101(3) before testing.

(5) Applicant must physically reside in Montana and have a Montana mailing address or claim Montana as the state of residence if tested at a military installation or in a federal correctional institution.

(6) Previous high school enrollment is not required. (History: 20-2-114, 20-2-121, MCA; IMP, Sec. 20-2-121, 20-4-120, MCA; Eff. 9/13/71/ ARM Pub. 11/26/77; AMD, 1982 MAR p. 382, Eff. 2/26/82; AMD, 1994 MAR p. 167, Eff. 1/28/94; AMD, 1997 MAR p. 46, Eff. 1/17/97.)

10.66.102 WAIVER OF AGE REQUIREMENT (1) A 16 year-old may receive a waiver of the age requirement provided documentation satisfying each of the following provisions is submitted to an official GED testing center and approval to test is granted by state GED administrator (ARM 10.66.102(3));

(a) Submit to official GED testing center a completed, signed, and notarized 16 year-old age waiver application form providing school status as required under ARM 10.66.101(3) and providing notarized permission of applicant's parent, legal guardian, or responsible adult.

(b) Submit documentation to official GED testing center from the director of an adult education program or literacy program verifying:

(i) the applicant has successfully completed GED preparation classes and is considered academically ready to attempt official GED test batter, or

(ii) the applicant has attained pre-test scores satisfactory to attempt GED test batter.

(c) Submit documentation to official Ged testing center on official letterhead stationery from an employer, a postsecondary education institution admissions director, or a military recruiting official indicating that agent's acceptance of the applicant based upon successful completion of the GED test.

(2) Applicants 16 years of age who reside in a Montana-based job corps center; are incarcerated in a correctional institution, a youth correctional enter or school; are under the jurisdiction of a court, a youth probation office, a state authorized group home or alcohol/drug treatment center may be tested provided the following documentation is submitted for review and approval to the state GED administrator in the Office of Public Instruction prior to testing:

(a) a written request from the facility director or authorized agent (e.g., probation officer) to have applicant tested, verifying applicant is not enrolled in a regular school program for credit. The state GED administrator may require school documentation satisfying ARM 10.66.101(3) before testing.

(b) documentation from the facility education director or from the director of an adult education program or a literacy program verifying:

(i) the applicant has successfully completed GED preparation classes and is considered academically ready to attempt official GED test battery, or

(ii) the applicant has attained pre-test scores satisfactory to attempt GED test battery.

(3) Sixteen year-old age waiver applications and accompanying documentation (ARM 10.66.101(1) or (2)) shall be submitted by official GED testing center to the state GED administrator in office of public instruction for review and approval prior to testing. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

10.66.103 METHOD OF APPLYING (1) Applications for a Montana high school equivalency diploma must be made at an official GED testing center. Each applicant shall complete an application form at the testing center, provide photo identification (e.g., drivers license, photo identification card, passport), and pay the testing fees. Prior to testing, applications of 16 year-olds must be reviewed and approved as stated in ARM 10.66.102(2) or (3). Prior to testing, applicants 17 or 18 years of age shall provide documentation as stated in ARM 10.66.101(3) or (4).

(2) Applications from veterans or service personnel claiming Montana residency who have taken the GED tests in the service or applications from clients claiming Montana residency who tested in a federal correctional institution will be processed in the Office of Public Instruction upon receipt of a completed application form and an official report of scores as provided in ARM 10.66.107. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

10.66.104 FEES (1) Upon advice and consent of the board of public education, the superintendent of public instruction shall establish annually a schedule of fees that may be charged for the administration of the GED test battery. The schedule of fees shall be commensurate with the testing program centers' actual costs related to the GED test. The superintendent of public instruction shall report annually to the board of public education the status of all fees associated with the GED test. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1988 MAR p. 1526, Eff. 7/15/88; AMD, 1994 MAR p. 167, Eff. 1/28/94; AMD, 2002 MAR p. 2188, Eff. 8/16/02.)

10.66.105 WAITING PERIOD FOR RETESTING (1) A one-month waiting period is required before applicants may retake the GED tests. A waiting period of three months is required for any subsequent retest.

(2) Retests must be administered in a test form not previously taken by the examinee.

(3) Retests may not be administered in a subtest section prior to completion of the entire test battery unless requested in writing by the GED chief or alternate examiner.

(4) GED candidates who previously received a Montana high school equivalency credential may retest if higher scores are required for employment or admission to a postsecondary institution. Retesting for this purpose requires prior approval from the state GED administrator in the Office of Public Instruction. Candidates shall show proof that retesting is necessary by presenting a written request on official letterhead stationery signed by the agent requiring higher scores, stating the reasons for higher scores. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

10.66.106 ISSUANCE OF EQUIVALENCY DIPLOMAS (1) All applicants for the Montana high school equivalency diploma are processed in the Office of Public Instruction, and all equivalency diplomas are issued by the Superintendent of Public Instruction. Applicants will be advised of their complete test results by mail, and certificates will be forwarded to those who successfully complete the GED tests. Incomplete test results are forwarded to the official GED testing center. Permanent GED record maintenance for Montana applicants is provided by the Office of Public Instruction. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub.11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

10.66.107 OFFICIAL TRANSCRIPTS (1) GED test scores are accepted as official only when reported to the state GED administrator in the Office of Public Instruction by official GED testing centers; the GED testing service of the American Council on Education; transcript service of the defense activity for non-traditional education support (DENTES); educational testing service (ETS) transcript service; or Veterans Administration hospitals and centers. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

10.66.108 OFFICIAL GED TEST CENTERS (1) Official GED test centers may be established as needed in agencies meeting American Council on Education, GED testing service guidelines with the approval and inspection of the state GED administrator.

(2) Official GED test centers must abide by the policies and procedures of the American Council on Education, GED Testing Examiner's Manual and by the testing policies provided in Administrative Rules of Montana (ARM 10.66.101 through 10.66.109). (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

10.66.109 DEFINITIONS (1) School: education program provided by a public, private, or home school.

(2) Official withdrawal slip: school document clearly identifying applicant by name, date of birth and providing last school enrollment date. Official withdrawal slip must contain school seal or be originally signed by designated school official (e.g., principal, guidance counselor).

(3) Chief education officer: public school--principal or designated school official) e.g. guidance counselor); private school--principal or supervising teacher; home school--parent or legal guardian providing home school instruction.

(4) Applicant's high school class: high school graduating class defined as 12 years from first grade.

(5) Responsible adult: adult with knowledge of a 16 year-old applicant's substantial and warranted reasons for leaving regular school program. Responsible adult's (e.g., probation officer, judge) signature required in lieu of parent/legal guardian signature when 16 year-old applicant does not live with parent or legal guardian.

(6) Regular school program: education program provided by a public, private, or home school for which credits towards graduation are earned. (History: 20-2-114, MCA; IMP, 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.)

Subchapter 2

External Diploma Program

10.66.201 OPERATIONS (1) Any Montana school district, community college or publicly-supported Montana-based educational institution (job corps) may enter into a contract with the American council on education to operate the external diploma program.

(2) Programs approved by the American Council on Education may use funds from the adult education mill levy (section 20-7-705), county literacy will levy in mill (section 20-7-714), federal funds from the National Literacy Act (P.L. 102-73) and other appropriate federal funds to support the external diploma program.

(3) Fees may be charged to participants for the cost of material and/or other operational costs. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/27/92.)

10.66.202 ELIGIBILITY (1) The candidates must be residents of the state of Montana who have attained their 21st birthday.

(a) A person is a resident of the state if any of the following conditions are met:

- (i) Has resided in the state for 30 consecutive days prior to enrollment;
- (ii) Shows evidence of having paid property or income taxes for the current or the immediate prior year.

(b) Proof of age consists of birth certificate or equally authentic documentation.

(2) Persons 19 or 20 years of age may receive a waiver of the age requirement for exceptional circumstances. The applicant for the waiver must submit letter(s) of verification from potential employer or employer including military recruiter should state the need of the external diploma for the purpose of employment and/or promotion. The needs of the educational institutions including educational scholarship or grant donors should cite the requirements of a high school equivalency. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/27/92.)

10.66.203 ENROLLMENT (1) Each individual enrolling in the external diploma program will be evaluated by program staff in accordance with standards and procedures established by the American Council on Education. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)

10.66.204 AGREEMENT (1) Each candidate must have completed an individual education program agreement between the candidate and an authorized external diploma program center, delineating areas of concern for skill development, level of achievement, and a timeline for completion of the program. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83.)

10.66.205 RECORDS (1) An active file for each enrollee in the external diploma program will be maintained at the center. The individual education program, initial evaluation results and documentation of progress in the program will be retained in this file together with correspondence or other information pertinent to the individual and the external diploma program progress.

(2) Upon successful completion of the external diploma program, and in accordance with the American Council on Education, an individual's permanent file will be established and maintained by the program.

(3) The Office of Public Instruction will maintain individual external diploma records file prior to 1992. Verifiable requests for copies of the records will be served. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)

10.66.206 NON-COMPLETION OF PROGRAM (1) If an individual fails to complete the requirements within the provisions of the individual education program agreement, a new agreement may be negotiated between the individual and the external diploma center. Once an agreement is established, however, only the timelines should be considered for renegotiation unless extreme and unusual circumstances prevail, and documentation of those circumstances is provided to the center.

(2) If an individual withdraws from the program without notifying the external diploma program center after the expiration of the individual program agreement, the center must maintain the individual's active file for five years. Upon expiration of this waiting period, the program will destroy all records. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)

10.66.207 ANNUAL REPORT (1) Approved programs will send the executive secretary of the Board of Public Education a summary count of the number of external diplomas awarded during the calendar year. Reports are to be sent prior to February 28 of the previous year date. (History: 20-2-121, 20-7-131, MCA; IMP, 20-2-121, MCA; NEW, 1983 MAR p. 1249, Eff. 10/1/83; AMD, 1992 MAR p. 1476, Eff. 7/17/92.)